

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>SAUDIA SHULER</b>	:	<b>CIVIL ACTION</b>
	:	
v.	:	<b>NO. 19-4160</b>
	:	
<b>TIMEPAYMENT CORP</b>	:	

**ORDER**

**AND NOW**, this 5<sup>th</sup> day of June 2020, upon considering the Defendant's Motion to dismiss (ECF Doc. No. 31) the third amended Complaint (ECF Doc. No. 29) for insufficient service of a summons the third amended complaint issued under our March 16, 2020 Order (ECF Doc. No. 30) in the first days of the COVID-19 shut down Orders throughout the Northeastern United States, finding Plaintiff continues to fail to effect service of the summons and third amended Complaint upon the Defendant but there is no prejudice and there is a likelihood Plaintiff could effect service under one of the alternative means to serve a corporation under either Massachusetts or Pennsylvania law and we prefer to resolve cases on the merits rather than on service deficiencies particularly with *pro se* Plaintiffs, and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. We **amend** our February 28, 2020 Order (ECF Doc. No. 24) to grant Plaintiff leave to serve the third amended Complaint and summons provided to her on March 16, 2020 until on or before **July 6, 2020**, consistent with the accompanying Memorandum;

2. The Defendant's Motion to dismiss for insufficiency of service (ECF Doc. No. 31) is **DENIED without prejudice** to be renewed on or after July 7, 2020 should the *pro se* Plaintiff not effect service (or obtain a timely extension to serve based on demonstrated good cause); and,

3. Given the inability for our Clerk of Court to mail Orders at this stage in COVID-19 mitigation, Defendant's counsel shall serve this Order by first class mail upon the Plaintiff at her address on the docket no later than **June 8, 2020**, file a certificate of service of this Order no later than **June 10, 2020**, and amend the certificate if service of this Order later returns as undeliverable.

  
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KEARNEY, J.